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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,893	11/18/2003	Gary Edward Peterson	206,270	8694
7590 03/22/2010 Abelman, Frayne & Schwab 666 Third Avenue, 10th Floor New York, NY 10017			EXAMINER PILLAI, NAMITHA	
			ART UNIT 2173	PAPER NUMBER
			MAIL DATE 03/22/2010	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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10/716893

11/18/03

Gary Edward Peterson

206,270

CONFIRMATION NO.

8694

Abelman, Frayne & Schwab  
666 Third Avenue, 10th Floor  
New York NY 10017

Date Mailed: March 19, 2010

NOTICE OF IMPROPER LETTER OF EXPRESS ABANDONMENT

The letter of express abandonment under 37 CFR 1.138 dated March 11, 2010 is not proper for reasons indicated below:



1. The letter of express abandonment was not signed by a party authorized under 37 CFR 1.33(b)(1), (b)(3), or (b)(4). A registered practitioner, not of record, who acts in a representative capacity under 37 CFR 1.34 when filing a continuing application, may only expressly abandon the prior application as of the filing date granted to the continuing application. See 37 CFR 1.138(b).



2. The letter of express abandonment was not filed prior to the payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing a petition under 37 CFR 1.313 to withdraw this application from issue.



3. The letter of express abandonment was not filed prior to the issuance of the patent.



4. The letter of express abandonment was not filed prior to the abandonment of the application. A notice of abandonment was mailed to the applicant on \_\_\_\_\_.

Inquiries regarding this communication should be directed to the Office of Data Management at (571) 272-4200.

*Betty Powell*

Patent Publication Branch  
Office of Data Management